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**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

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UNITED STATES OF AMERICA,

Plaintiff,

vs.

NICHOLAS BRODIGAN
VICTORIA COMMISSO,

Defendants.

Case No. 2:17-cr-00103-KJD-PAL

Stipulation to Continue Pretrial
Response and Reply Deadlines
(First Request)

IT IS HEREBY STIPULATED AND AGREED, by and between DAYLE ELIESON, United States Attorney, and CHRISTOPHER BURTON, Assistant United States Attorney, counsel for the United States of America, and Rene L. Valladares, Federal Public Defender, and Nisha Brooks-Whittington, Assistant Federal Public Defender, counsel for Defendant NICHOLAS BRODIGAN, and Jennifer Waldo, Esq., counsel for Defendant VICTORIA COMMISSO, that the deadline currently scheduled for the filing of any responses to pretrial motions (August 20, 2018) be vacated and the parties herein shall have to and including August 27, 2018, within which to file any responses to pretrial motions.

1 IT IS FURTHER STIPULATED AND AGREED, that the parties herein shall
2 have to and including September 3, 2018, to file any and all replies to dispositive
3 motions.

4 This stipulation is entered into for the following reasons:

5 1. Counsel for the Government has been in a jury trial during the week of
6 August 13, 2018, and therefore needs additional time to review the filed motions and
7 prepare substantive responses.

8 2. The parties agree to the continuance.

9 3. The defendants are currently detained pending trial but do not object to a
10 continuance of the deadlines for responses and replies.

11 4. The additional time requested herein is not sought for purposes of delay,
12 but to allow counsel for Government and defendants sufficient time within which to be
13 able to effective and completely research and prepare pleadings related to multiple
14 pretrial motions that have been filed.

15 5. Additionally, denial of this request for continuance could result in a
16 miscarriage of justice.

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1 6. This is the first stipulation to continue the pretrial response and reply
2 deadline.

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4 DATED this 20th day of August, 2018.

5 Respectfully submitted,

6 RENE L. VALLADARES
Federal Public Defender
7 By: //s//
NISHA BROOKS-WHITTINGTON
8 Counsel for Defendant
NICHOLAS BRODIGAN
9

DAYLE ELIESON
United States Attorney
By: //s//
CHRISTOPHER BURTON
Assistant United States Attorney

10 By: //s//
JENNIFER WALDO
11 Counsel for Defendant
VICTORIA COMMISSO
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**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

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UNITED STATES OF AMERICA,

2:17-cr-00103-KJD-PAL

Plaintiff,

vs.

ORDER

NICHOLAS BRODIGAN
VICTORIA COMMISSO,

Defendant.

Based on the pending Stipulation of counsel, and good cause appearing therefore, the Court finds that:

1. Counsel for the Government has been in a jury trial during the week of August 13, 2018, and therefore needs additional time to review the filed motions and prepare substantive responses.

2. The parties agree to the continuance.

3. The defendants are currently detained pending trial but do not object to a continuance of the deadlines for responses and replies.

4. The additional time requested herein is not sought for purposes of delay, but to allow counsel for Government and defendants sufficient time within which to be able to effectively and completely research and prepare pleadings related to multiple pretrial motions that have been filed.

5. Additionally, denial of this request for continuance could result in a miscarriage of justice.

6. This is the first stipulation to continue the pretrial response and reply deadline.

For all of the above-stated reasons, the ends of justice would best be served by a continuance of the deadlines for the response and replies to pretrial motions.

CONCLUSIONS OF LAW


The ends of justice served by granting said continuance outweigh the best interest of the public and the defendant, since the failure to grant said continuance would be likely to result in a miscarriage of justice, would deny the parties herein sufficient time and the opportunity within which to be able to effectively and thoroughly prepare pleadings for dispositive motions, taking into account the exercise of due diligence.

ORDER

IT IS THEREFORE ORDERED, that the parties herein shall have to and including August 27, 2018 to file any and all responsive pleadings to dispositive motions.

IT IS FURTHER ORDERED, that the parties herein shall have to and including September 3, 2018, to file any and all replies to dispositive motions.

DATED this 21st day of August, 2018.


The Honorable Peggy A. Leen
United States Magistrate Judge